

Hanson Communications, Inc.

LEE C. HANSON CHAIRMAN & GENERAL MANAGER

December 1, 1998

RECEIVED

DEC 2 1998

FCC MAIL ROOM

Ms. Magalie Roman Salas

Secretary

Federal Communications Commission

445 Twelfth Street, S.W.

TW-A325

Washington, D. C. 20554

Subject: MM Docket 97-138

Dear Secretary Magalie Roman Salas:

These comments are filed in support of the petition for partial reconsideration and clarification filed by the National Association of Broadcasters on October 16, 1998. We ask that the portion of the recent FCC Report and Order dealing with access to a radio station's Public File by telephone be changed back to the need for that access to be done in person. The in-person requirement allows the person requesting information to see exactly what information is available and in what form. Without that ability it has become a case of "please send me all you have on the subject and we'll use what we want". It also keeps the Public File from becoming just another source of research information for marketing, building a data base or other general effort that has nothing to do with the operation of the station involved.

0+4
No. of Copies rec'd
List ABCDE



The following experience is an example of a telephone request for information from the Political File portion of our Public File:

On Friday evening, November 20, 1998, after the hour of 5:00 PM when the office is closed and the regular office staff has gone home, our radio stations received a telephone request from the Michigan House Democratic Party for information dealing with the immediate past General Election. The request was for us to fax copies of all information in the Political File dealing with that election that involved:

1. Both the Republican and Democratic Parties
2. All candidates from each office
3. All issues

Because it was after office hours on a weekend, the message was taken by a person not versed in the topic of the public file which would not have happened with an in-person request nor during normal business hours. The response was made that, to comply with their request, we would get back to the caller as soon as we could with an estimate of the cost.

What went through our mind was: Did they really want all of that material? When

they found it would cost them more than a few dollars, was it still important to them? Were they simply using a cheap method of gathering broadcast information on buying patterns, political party use across the state or other data having nothing to do with our individual stations?

In dealing with Public File information requests in the past, it was relatively easy to handle since the request from a person visiting the site during business hours and seeing what is contained in a particular file, enabled them to make a request for copies of specific papers and not just a general request for all the information we have on a given topic. In this recent case, we found to comply was going to take a good deal of time, effort and money to complete.

The Political Files of our three radio stations, containing what was requested from the General Election of fall, 1998, includes a total of 35 separate files. Each current file contains as many as nine separate transactions per candidate, issue or sponsor with an average of four per file. That is 140 transactions. Each transaction in each file contains, at least, a completed Political Agreement Form, a Time Order, a Confirmation of the order plus any proposals made or adjustments prior to airing, with an average of four pieces of paper per transaction. This becomes approximately 560 pieces of paper; more than one ream.

To process each page as requested ready for faxing or even just mailing, it will take one person at least five hours to remove each transaction from each folder, removing staples, separately copying each page, restaple and then replace in each file. Because of the size of this job, it will have to be prepared at other than normal hours and at minimum wage (five hours x \$5.15 plus overtime equaling \$39.00). To be faxed it would take another four hours to stand at the machine (\$31.00) and fax-line use for four hours to their office in Lansing, Michigan (\$50.00). The copy machine costs us 10 cents per page for paper and to operate (\$56.00). The total cost for the project equals \$176.00. Even when the out-of-pocket costs are paid by the person requesting it, it is a lot of extra time and effort for both parties. This is only one request from one individual. Similar requests from different organizations are possible.

If, as in the past, someone had come to the office during normal business hours, looked through the files, determined the pages they really needed and we made copies for them, it probably could be run off in a relatively few minutes, with perhaps less than 35 sheets of paper and they would have all they needed at little cost to them or us. They don't know what they want unless they have seen the political file and most out-of-town clients don't know what one looks like. That's probably what has happened in the case of the Michigan House Democratic Party

request since, to date, our phone calls haven't been returned so we can give them the estimate.

A 32 cent stamp for a piece of paper or two from the public files of a radio station to provide a member of the general public with information he/she needs is not a problem for most radio stations. But a phone call that is being made only because it's now available at no effort, becomes a different story.

It becomes a frivolous request that can be turned over to a secretary to call about who doesn't really know nor care what she is asking for and thus it becomes an exercise that goes nowhere but costs time, effort and money.

The fact that we've been unable to reach the person who called from the Michigan House Democratic Party, now that she knows there is a cost estimate involved, tells you the level of importance being put on the project. It was so important that it needed to be faxed. But when told we expected some of the expense to be paid by them, the importance seems to have disappeared. We may still hear from them with a go-ahead and we are prepared to do so upon being paid in advance, but it would seem to no longer be as important as before. Nonetheless, we've already spent the time to estimate the cost so the request can be fulfilled, whether or not

the Michigan House Democratic Party pays for the copying

What other uses of our Public File will we now be called upon to provide? In the past, we have received as many as four to five calls per term from students asking for information for a term paper or other school assignment. We have suggested they come to the station to find what they need in the Public File but it's never important enough for them to make the ten minute trip, usually because it's done at the last moment before the paper is due. Now that they may request the information by telephone and we are required to comply, we must make copies and mail it to them. It becomes a simple assignment that the radio stations have to do for them with no effort on the students part. So the assignment becomes meaningless; they don't see the radio stations, they don't have to compile anything and they learn nothing.

The concept of the Public File to provide meaningful information about the local radio stations to anyone of the local public is good. And our stations agree with that premise. However, with the telephone now providing that information to anyone in the world with a thought of using it for marketing information, as material for data bases or other purposes, it takes the use of the Public File way beyond the original reason for its being available. At least the in-person

requirement kept it somewhat under control and usable for people who really have the need to know.

Just for some additional background, the undersigned has been in media management of a major advertising agency in Detroit, and general manager of radio and television stations in Detroit, New York, Chicago, Memphis and Cincinnati prior to owning three radio stations in Port Huron, Michigan, 65 miles north east of Detroit.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee C. Hanson", with a long horizontal flourish extending to the right.

Lee C. Hanson
Chairman and CEO